

**JOE WARDY**  
MAYOR



***CITY COUNCIL***

**SUSAN AUSTIN**  
DISTRICT NO. 1

**ROBERT A. CUSHING, JR.**  
DISTRICT NO. 2

**JOSE ALEXANDRO LOZANO**  
DISTRICT NO. 3

**JOHN F. COOK**  
DISTRICT NO. 4

**VACANT**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**VIVIAN ROJAS**  
DISTRICT NO. 7

**ANTHONY W. COBOS**  
DISTRICT NO. 8

**PROPOSED AGENDA FOR  
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS  
OCTOBER 12, 2004  
9:00 A.M.**

**ROLL CALL**

Invocation – Police Chaplain Clift Barnes  
Pledge of Allegiance

**REGULAR AGENDA**

1. Discussion and action on the flooding problems that 50-60 businesses located at the intersection of McRae and Carnegie have continued to suffer over the years. Requests for flood control have been made to the City over the past 7 years and have not been addressed to date. Our taxes are going up as high as the water that is flooding our businesses when it rains. [Ali Bourselan and Robert Maupin]
2. Discussion: Regarding Political Science. [Anita Blair]
3. Discussion and action needed: Traffic crisis at corner of Yandell and Mesa Streets (Paso Del Norte Academy). [Cesar Quiñones]

**MAYOR'S PROCLAMATIONS**

1. ***Teen Read Week***
2. ***58<sup>TH</sup> Anniversary of the El Paso Association of Builders***

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

**CONSENT AGENDA****4. APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meetings of September 21, September 28 and October 5, 2004.

**5. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:****6. RESOLUTIONS:**

- 6A.** That the Mayor be authorized to sign a Loan Agreement by and between the City of El Paso and the World Trade Center El Paso-Juarez for the loan of a City-owned bronze sculpture entitled "Three Doves" for display at the offices of the World Trade Center El Paso-Juarez.

**(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

- 6B.** That the Director of Aviation, Patrick T. Abeln, be authorized to commence the process of rezoning the following described property to accommodate the development of the site in accordance with current airport development plans:

1. The northeast corner of Montana Avenue and Global Reach Drive, legally described as a Portion of Lot 2, Block 2, Butterfield Trail Aviation Park, Unit Two; and

2. The northwest corner of Montana Avenue and Global Reach Drive, legally described as a portion of Lot 2, Block 1, Butterfield Trail Aviation Park, UnitTwo.

Further that Patrick T. Abeln shall be authorized to sign any and all applications, notices and permits required in the rezoning process on behalf of the City.

**(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

- 6C.** That the Mayor be authorized to sign the following contract on behalf of the Arts and Culture Department, to be funded through the FY2005 Direct Funding Program of the Arts and Culture Department, as recommended by the Arts and Culture Department Advisory Board and Staff. Funds will be provided from the Arts and Culture Department (ACD) 2005 Budget. **(All Districts)**

1. El Paso Association for the Arts  
[Arts & Culture, Judy Emmons, (915) 541-4280]

**ACD**  
\$5,295

- 6D.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **MARK MATTHYS**, to develop effective relationships with the media and to provide information to the public on city programs, projects, events and city government at a biweekly rate of \$2,400.00. The contract period shall be from October 15, 2004 through October 14, 2005. This contract is subject to the concurrence of the City's Civil Service Commission.

[City Manager, Joyce A. Wilson, (915) 541-4844]

- 6E.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eighteen Thousand Six Hundred And No/100 Dollars (\$18,600.00-Secured Grant), against the following described real property:

Lot 37, Block 6, Cielo Vista Park, an Addition to the City of El Paso, El Paso County, Texas; according to the Plat thereof recorded in Volume 7, Page 6, of the Plat Records of El Paso County, Texas; known and numbered as 1516 Brookhaven

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 3)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 6F.** That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eight Thousand And No/100 Dollars (\$8,000.00 Secured Grant-\$655.00, Loan Note-\$5,845.00), against the following described real property:

The South 49.93 feet of Lot 7, Block 42, VISTA DEL SOL, UNIT FOUR an Addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 31, Page 20, Plat Records of El Paso County, Texas; known and numbered as 2118 Cumbre Negra

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 5)**

[Community and Human Development, Charles Ruiz, (915) 541-4221]

- 6G.** That the Mayor be authorized to execute and file a grant application to the Corporation for National Service for the Retired and Senior Volunteer Program in the amount of \$107,573 per each 12 month period from January 1, 2005 to December 31, 2007; and

That Robert A Salinas, Director, Community and Human Development, be authorized to furnish additional information as the Corporation for National Service may require in connection with the application or the project and that Community Development staff be authorized to submit this reapplication electronically; and

That the Mayor be authorized to execute any Grant Agreements for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases or deobligates program funds, provided that no additional City funds are required, upon approval by the Corporation for National Service. The funding obtained with this grant will benefit Districts 1 through 8. **(All Districts)**

[Community and Human Development, Norma Corona, (915) 541-4230]

**6H.** That the Mayor or City Manager is authorized to sign a Business Account Application, as amended, and Client Agreement, as amended, with Morgan Stanley, and to execute and deliver such additional documents as may be necessary to accomplish the purpose contemplated by this Resolution.  
[Comptroller, Carmen Arrieta-Candelaria, (915) 541-4239]

**6I.** That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Cocktail Reception
Licensee:	Hampton-Brown
Date:	October 21, 2004
Time:	6:30 p.m. - 8:30 p.m.
Area(s):	Special Events and Gallery Lobby
Charge for Space:	\$2,000.00
Charge for Staff (est.):	\$360.00
Charge for Insurance:	\$80.00

**6J.** That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Seminar and Reception
Licensee:	Wells Fargo Bank NA
Date:	October 15, 2004
Time:	3:00 p.m. - 8:00 p.m.
Area(s):	El Paso Energy Auditorium and the Patricia and Jonathan Rogers Grand Lobby
Charge for Space:	\$1,000.00
Charge for Staff (est.):	\$280.00
Charge for Insurance:	\$48.00

**6K.** That the Mayor be authorized to sign an application to cross a portion of El Paso County Water Improvement District No. 1 property within the Juan De Herrera lateral at Indian Place, for the project known as "Indian Place Street and Drainage Improvement Project", such application is to include an application fee of \$1,000.00. [Engineering, Irene Ramirez, (915) 541-4431]

**6L.** That the Mayor be authorized to sign a Traffic Signal Agreement between the CITY OF EL PASO and the EL PASO INDEPENDENT SCHOOL DISTRICT for the installation of two (2) school flasher signals near Mary Tippin Elementary School, on Bear Ridge Drive between Oak Ridge Drive and Shelby Ridge Drive. Total cost to the City is Fourteen Thousand Nine Hundred Sixty and 00/100 Dollars (\$14,960.00) **(District 1)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**6M.** An Amendment to the Resolution calling for a Special Election for the Election in the City of El Paso of a District Representative for District No. 5.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

- 6N.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
4756 Sir Gareth Drive	\$ 311.76	\$ 66.07	\$ 377.83

**(District 1)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6O.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
2732 Morehead	\$ 49.78	\$ 45.51	\$ 95.29

**(District 2)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6P.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
2421 Pittsburg Avenue	\$ 115.16	\$ 137.63	\$ 252.79

**(District 2)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6Q.** That the Mayor be authorized to sign a release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these solid waste management liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
3528 & 3530 Thomason Avenue	\$ 383.27	\$ 492.63	\$ 875.90
3530 Thomason Avenue	\$ 131.83	\$ 152.66	\$ 284.49
3500 Thomason Avenue	\$ 457.90	\$ 278.25	\$ 736.13

**(District 2)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6R.** That the Mayor be authorized to sign a release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these solid waste management liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
290 Edith Drive	\$ 157.64	\$ 128.81	\$ 286.45
290 Edith Drive	\$ 124.49	\$ 63.31	\$ 187.80
290 Edith Drive	\$ 145.06	\$ 34.07	\$ 179.13

**(District 3)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6S.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
5700 Block of Manila	\$ 299.20	\$ 334.24	\$ 633.44

**(District 4)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6T.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
7800 Block of Mansfield	\$ 476.30	\$ 10.53	\$ 486.83

**(District 7)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6U.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
3501 East San Antonio Avenue	\$ 431.92	\$ 168.98	\$ 600.90

**(District 8)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6V.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this solid waste management lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
3505 East San Antonio Avenue	\$ 437.87	\$ 53.03	\$ 490.90

**(District 8)** [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

- 6W.** That the Texas Forest Service Grant for "Every Tree has a Story" Urban Forestry Promotion Program ("Project") is in the public interest and should be executed pursuant to the proposed project scope (Attachment "B"), with contributions of funds, materials and labor for the project solicited by the El Paso Green Sweep Committee; and that the Streets Director be authorized to negotiate, the City Attorney's Office be authorized to prepare, and the Mayor or his designee be authorized to sign, all documents necessary to complete the Project, including but not limited to donation agreements for materials, labor and maintenance.  
[Streets Department, Daryl W. Cole, (915) 621-6750]

- 6X.** That the appraisal roll is approved by the City Council of the City of El Paso and does constitute the tax roll for 2004 of the City of El Paso and all entities for which the Tax Assessor/Collector of the City of El Paso collects taxes.  
[Tax Office, Juan Sandoval, (915) 541-4598]

- 7.** Request that the street and drainage improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications. **(District 6)**

Subdivision: Maria Seanes Estates Unit Two  
 Owner/Developer: JNC LAND, L.P.  
 Consultant: Atcon/Conde Engineering

Street Improvements:

Jose Bombach Drive.-from the south subdivision boundary line to Station 7 + 24.53

Roger Bombach Drive.-from the south subdivision boundary line to Station 6 + 05.78

Via Del Rio Drive.-from Station 6 + 05.78 at Roger Bombach Drive to Station 7 + 24.53 at Jose Bombach Drive

Via Campo Drive.-from the east property line of Roger Bombach Drive to the west property line of Jose Bombach Drive

Via Azteca Drive.-from the west property line of Jose Bombach Drive to the end of "T" hammer cul-de-sac

30 ft. Wide x 53.31 ft. Paso TexPipe Line Road Easement.-located at Roger Bombach Drive; 60 ft. x 7 ft. Sidewalk

30 ft. Wide x 53.31 ft. Paso TexPipe Line Road Easement.-located at Roger Bombach Drive; 60 ft. x 7 ft. Sidewalk

Drainage Improvements:

Storm Drainage System.-located at Roger Bombach Drive; 1-5 Grate Drop Inlet Type I located Via Azteca Drive; 1-2 Grate Drop Inlet Type I

15 ft. Wide Drainage Easement.-at Lots 18 and 19, Block 7; 104.6 ft. of 24" R.C.P

20 ft. Wide P.S.B. Easement.-located at Lot 25, Block 9

25 ft. Wide Emergency Access R.O.W. and Utility Easement.-between Lots 12 and 13, Block 9; 209 ft. x 6 ft. high Rock Wall Fence with 20 ft. x 3 ft. high Wrought Iron Fence; and 27 ft. Concrete Driveway with 25 ft. Wrought Iron Gate

Retention Ponding Area.-at Lot 27, Block 7 with a 0.76 ac. Area and a 4.05 ac.-ft. Capacity; 2-Thurst Block Structure with Concrete Impact Basins, Concrete Rip-Rap; 436.74 ft. of 24" R.C.P.; 1-Junction Box/Manhole; 362.6 ft. x 6 ft. high Rock Wall Fence; 217 ft. x 4 ft Concrete Sidewalk at the Ponding Area; 20 ft. Wide Concrete Drive Way; 18 ft Double Swing Gate; and Pond Depth Gauge

60 ft. Existing Road Easement.-located at Roger Bombach Drive; 2-70 ft. of 24" R.C.P.; 2-Concrete Headwall Structure; 124.46 ft. x 7 ft. Sidewalk; and 2-Guard Rail

60 ft. Existing Road Easement.-located at Jose Bombach Drive; 2-70 ft. of 24" R.C.P.; 2-Concrete Headwall Structure; 124.46 ft. x 7 ft. Sidewalk; and 2-Guard Rail  
 [Engineering Department, Bashar Abugalyon, (915) 541-4157]

8. Notice to set a public hearing to be held on November 9<sup>th</sup>, 2004 to determine if the property located at 7204 ½ North Loop Drive in the City of El Paso (legal description on

file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 16<sup>th</sup>, 2004. The owner of record as of September 14<sup>th</sup>, 2004, Jose M. Escobar, 7221 North Loop Drive, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

9. Notice to set a public hearing to be held on November 9<sup>th</sup>, 2004 to determine if the property located at 3906 Lincoln Avenue in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 2002. The owners of record as of September 20<sup>th</sup>, 2004, Francisco Javier Valenzuela and Armida Valenzuela, 2300 Red Bluff Road, El Paso, Texas 79930, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 2)**

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

#### 10. STAFFING TABLE CHANGES:

City Attorney

Delete	1.00	Personnel and Payroll Clerk	GS 17
Delete	1.00	Accounting Clerk	GS 16
Add	1.00	Personnel & Accounting Clerk	GS 15

[City Attorney, Liza Elizondo, (915) 541-4550]

#### 11. BOARD RE-APPOINTMENT:

Sofia C. Ordoñez to the Mayor's Advisory Board on Aging by Representative Paul J. Escobar, District 6. [Representative Paul J. Escobar, (915) 541-4182]

#### 12. DISCRETIONARY FUNDS:

Authorization to allocate \$1,000.00 from District #8 Discretionary Funds to the Parks Department to assist with the Segundo Barrio Seventh Street Halloween Party to be held on October 31, 2004. **(District 8)**

[Mayor Pro Tempore Anthony W. Cobos, (915) 541-4123]

#### 13. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.:	2004-226	Washing of Heavy Duty Equipment (Rebid)
Award to:		A & E Truck & Car Wash
		El Paso, TX
Item (s):		All
Amount:		\$150,000.00 (estimated yearly)

Department:	Fleet Services
Funds available:	37370510-45202-503125



Funding source: Fleet Services-Inventory Sales  
-Equipment Outside Repairs  
Total award: \$450,000.00 (estimated)  
**District (s): All**

The Fleet Services Department and Purchasing Departments recommend award as indicated, on the basis of Best Value Procurement.

This is a thirty-six (36) month contract with the option to extend the term of the contract one additional year. [Purchasing, Ray Heredia, (915) 541-4316]

**14. BID:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Solicitation No.: 2004-239 Uniforms for the Fleet Service  
Award to: Uniforms of Texas  
El Paso, Texas  
Item (s): #1 thru #12 (all)  
Amount: \$30,000.00 (estimated annually)  
  
Department: Fleet Service  
Funds available: 37370155-503120-45202  
Funding source: Fleet Service Internal Service Fund  
Total award: \$60,000.00 (estimated)  
**District (s): All**

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.  
[Purchasing, Jesus M. Juarez, (915) 541-4317]

**15. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**15A. BT2005-018 BUILDING AND PLANNING SERVICES**  
Building and Planning Services proposes to appropriate \$193,000 to establish the budget for E.L. William Lafayette Park. Funding source is 2000 QOL bonds.  
**(District 7)**

Increase \$193,000 to 14101001/PQLPA17960179/508027 Construction  
Increase \$193,000 to 14101001/PQLPA17960179/407020 Bond Proc

**15B. BT2005-052 PARKS & RECREATION**

This budget transfer recognizes actual revenues from Parkland Dedication Fees and appropriates money to be used for Parks construction within the same Park Zone as the development that generated the revenue. Parkland Dedication fees are paid by developers based upon City Ordinance.

Increase	\$ 900	to	51159242/P51800004916023/405072	Parkland Ded
Increase	\$ 900	to	51159242/P51800004916023/508004	Parkland Ded
Increase	\$42,600	to	51159242/P51800086616206/405072	Parkland Ded
Increase	\$42,600	to	51159242/P51800086616206/508004	Parkland Ded
Increase	\$ 9,687	to	51159242/P51800083616175/405072	Parkland Ded
Increase	\$ 9,687	to	51159242/P51800083616175/508004	Parkland Ded
Increase	\$ 674	to	51159242/P51800080516144/405072	Parkland Ded
Increase	\$ 674	to	51159242/P51800080516144/508004	Parkland Ded
Increase	\$29,740	to	51159242/P51800005716031/405072	Parkland Ded
Increase	\$29,740	to	51159242/P51800005716031/508004	Parkland Ded
Increase	\$ 5,550	to	51159242/P51800081216151/405072	Parkland Ded
Increase	\$ 5,550	to	51159242/P51800081216151/508004	Parkland Ded
Increase	\$ 2,289	to	51159242/P51800081916158/405072	Parkland Ded
Increase	\$ 2,289	to	51159242/P51800081916158/508004	Parkland Ded
Increase	\$10,553	to	51159242/P51800009716071/405072	Parkland Ded
Increase	\$10,553	to	51159242/P51800009716071/508004	Parkland Ded
Increase	\$81,600	to	51159242/P51800086716207/405072	Parkland Ded
Increase	\$81,600	to	51159242/P51800086716207/508004	Parkland Ded
Increase	\$15,900	to	51159242/P51800086816208/405072	Parkland Ded
Increase	\$15,900	to	51159242/P51800086816208/508004	Parkland Ded
Increase	\$11,400	to	51159242/P51800010816082/405072	Parkland Ded
Increase	\$11,400	to	51159242/P51800010816082/508004	Parkland Ded
Increase	\$ 600	to	51159242/P51800086916209/405072	Parkland Ded
Increase	\$ 600	to	51159242/P51800086916209/508004	Parkland Ded

**15C. BT2005-056 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to transfer \$25,000 from the Parks Contingency project to the Vista Del Sol Park project to fund the bid for construction. Funding source is 2000 QOL bonds. **(District 7)**

Decrease	\$25,000	from	31130550/PQLPA17760176/508027	Construction
Increase	\$25,000	to	31130550/PQLPA17760176/507001	IntrafdTrf (U)
Increase	\$25,000	to	31130600/PPW004604460059/407001	Intrafd Trf (S)
Increase	\$25,000	to	31130600/PPW004604460059/508027	Construction

**15D. BT2005-057 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to transfer \$15,800 from a Rehabilitation of City Facilities project to an Emergency Rehabilitation of City Facilities project for grounding work at the Museum of Art. Funding source is 1994 COs. **(District 8)**

Decrease	\$15,800	from	31114001/P50131327042/508027	Construction
Increase	\$15,800	to	31114001/P50131327042/507001	Intrafd Trf (U)
Increase	\$15,800	to	31114001/PPWFA0302127042/407001	Intrafd Trf (S)
Increase	\$15,800	to	31114001/PPWFA0302127042/508027	Construction

**16. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**16A.** Benito Martinez Elementary School to hold a Veterans Day parade/celebration on November 11, 2004 from 9:00 a.m. to 10:00 a.m. Route: Start at Benito Martinez Elementary on Robert Wynn, turn left on Tirres to Kristy Weaver, turn left on Kristy Weaver to Nancy Mc Donald, turn right on Nancy Mc Donald to Spencer, turn left on Spencer to Lee Blvd., turn left on Lee Blvd., to Robert Wynn, and finish at the school. Approximately 1,000 persons, 5 vehicles, 5 horses will take part and 500 spectators are anticipated. PERMIT NO. 04-124 **(District 5)** [Michael Chaparro]

**16B.** Rosalia Andujo to block off South Park between Sixth St. and Seventh St. on October 23, 2004 from 10:00 a.m. to 10:00 p.m. Approximately 100 persons will take part and 70 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Devices." PERMIT NO. 04-130 **(District 8)** [Rosalia Andujo]

**16C.** Neighborhood Crime Watch to block off 2000 block of Noviembre on October 16, 2004 from 12:00 p.m. to 10:00 p.m. Approximately 100 persons will take part and 100 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Devices". PERMIT NO. 04-134 **(District 5)** [Delphina R. Guzman]

## **REGULAR AGENDA**

### **17. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**17A.** An Ordinance changing the zoning of a portion of Tract 11B, Block 2, Ascarate Grant, El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: JACS Properties, Inc. ZON04-00104 **(District 3)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 17B.** An Ordinance granting Special Permit No. ZON04-00118 to satisfy parking requirements for Parcel II, described as Lots 17, 18, 19, 20, 21, 22, 23, 24, 25, and the Westerly 12.5 Feet of Lot 26, Block 39, Franklin Heights Addition, El Paso, El Paso County, Texas; by allowing off-site off-street parking on Parcel I, described as Lots 1 and 2, Block 39, Franklin Heights Addition, El Paso, El Paso County, Texas (1400 Wyoming Avenue). Pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mark Tomlin **(District 8)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 17C.** An Ordinance changing the zoning of a portion of S. J. Larkin Survey No. 266, El Paso, El Paso County, Texas (Helen of Troy Drive West of Redd Road) from R-3A (Residential) to C-2 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Colony Partners and Hillview Properties. ZON04-00106 **(District 1)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 17D.** An Ordinance changing the zoning of Tract 2B, Block 14, Ysleta Grant, El Paso, El Paso County, Texas (Lomaland Drive South of North Loop Drive) from R-4 (Residential) to A-2 (Apartment). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Oscar Andrade. ZON04-00114 **THIS IS AN APPEAL CASE. (District 7)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 17E.** An Ordinance amending Ordinance No. 011221, which changed the zoning of Lot 18, Sunrise Acres No. 2, El Paso, El Paso County, Texas, and which imposed certain conditions, by deleting Condition No. 3 thereof. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Hillcrest Baptist Church. ZON04-00131 **(District 2)**  
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 2, 2004 FOR ITEMS 17A - 17E**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

**18. MAYOR AND COUNCIL:**

- 18A.** Discussion and action on the status of the Memorial Park Swimming Pool project, that has remained dormant since 30 July 2004, after initiation of construction prior to the start of the summer season, with emphasis on what steps, if any, are being taken to ensure completion of the project within the "...360 day..." time frame as set forth in the contract to allow for public utilization of this City owned and operated complex for the summer of 2005.  
[Representative Robert A. Cushing, Jr., (915) 541-4416]
- 18B.** Discussion and action on a resolution to establish the intent of the El Paso City Council to engage in "joint meetings" with the Las Cruces City Council in areas of

common interest not limited to military and transportation infrastructure issues.  
[Representative Robert A. Cushing, Jr., (915) 541-4416]

## **19. PLANNING, RESEACH AND DEVELOPMENT:**

Discussion and action on a Resolution that the City accepts the dedication of a Street Right-of-Way located within a portion of Tract 1A, Block 11, Upper Valley Surveys (the extension of Gomez Road to serve Valley Creek Park), City of El Paso, El Paso County, Texas, and being more fully described by metes and bounds in the attached Exhibit "A" from Frontera Vista L.P., a Texas Limited Partnership. **(District 1)**  
[Planning, Research & Development, Rudy Valdez, 541-4635]

## **20. PURCHASING:**

**20A.** Discussion and action on a Resolution that the Director of Purchasing is hereby authorized to notify Texas Industries for the Blind and Handicapped and Border T.M. Industries, Inc., that the City is terminating Contracts No. 96-071, 96-072 and 96-073 pursuant to the provisions and requirements of Contract, Item No. 4 of the Sate Use Contract Clause, Termination and that the termination shall be effective as of October 31<sup>st</sup> 2004.

The vendor has been notified & Parks & Recreation will develop a new schedule for Maintenance of City Facilities.

Department: Parks & Recreation Department  
[Purchasing, Ray Heredia, (915) 541-4316]

**20B.** Discussion and action on a Resolution that the Director of Purchasing Requests that Mayor and Council terminate Contract No. 2002-178 with Initial Security and that the Director of Purchasing is hereby authorized to notify Initial Security, that the City is terminating Contract No. 2002-178 pursuant to the provisions and requirements of Section C. No. 17 of the Contract Clauses, Availability of Funds and that the termination shall be effective as of October 17<sup>th</sup> 2004.

The vendor will be notified and the services will no longer be required at this time.

Department: Museum of Art  
[Purchasing, Ray Heredia, (915) 541-4316]

## **21. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:**

**21A.** Public hearing to determine if the property located at 11661 Norman Montion Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 25<sup>th</sup>, 2004. The owner of record as of March 23<sup>rd</sup>, 2004, Ida M. Poole, 11661 Norman Montion Drive, El Paso, Texas 79936, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 5)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

**21B.** Public hearing to determine if the property located at 6127-6135 N. Mesa Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or

demolished. First investigated February 2004. The owner of this property, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of \$0.

**(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 21C.** Public hearing to determine if the property located at 1406-1418 Myrtle Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 8<sup>th</sup>, 2004. The owners of this property, Jose A. Gutierrez, Pedro Taboada, and Joseph P. Murray, 2300 N. Campbell Street, El Paso, Texas 79902, have been notified of the violations at this property.

Delinquent taxes in the amount of \$0. **(District 8)**

[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 21D.** Public hearing to determine if the property located at 1105 Loma Verde Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated July 19<sup>th</sup>, 2004. The owners of this property, Lawrence W. & Catherine J. Few, 1105 Loma Verde Drive, El Paso, Texas 79936, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 6)**

[Building Permits and Inspections, Tom Maguire (915) 541-4588.]

- 21E.** An ordinance granting a Special Privilege to Kern Place Merchants Association to temporarily close a portion of Cincinnati Avenue between Mesa Street and Stanton Street for a "HALLOWEEN," celebration on Saturday, October 30, 2004 and Sunday October 31, 2004. (Consideration: \$137.50, SP-04020) **(District 1)**

[Building Permits & Inspections, Raymond Bonilla, (915) 541-4767]

## **22. PUBLIC HEARING – ENGINEERING, TRAFFIC DIVISION:**

An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.030 (Schedule III Parking Prohibited at All Times On Certain Streets.) To Add New Locations On Grama Street, Both Sides, From San Antonio Avenue To A Point 167 Feet North; On Grama Street, Both Sides, From San Antonio Avenue To A Point 60 Feet South; On San Antonio Avenue, North Side Only, From Grama Street to A Point 210 Feet East; On San Antonio Avenue, South side Only, From Grama Street To A Point 510 Feet East, And On San Antonio Avenue, South Side Only From Grama Street To a Point 73 Feet West. Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(District 8)**

[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

**23. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:**

- 23A.** An Ordinance changing the zoning of Tract 4B, Block 29, Ysleta Grant, El Paso, El Paso County, Texas (220 Lafayette Drive) and all of Lot 3, Block 1, White Oaks Subdivision from R-F (Ranch/Farm) TO R-3 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jose Chavez. ZON04-00080. **(District 7)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 23B.** An Ordinance changing the zoning of A portion of Lot 1, Block 112, Vista Del Sol Unit 16, El Paso, El Paso County, Texas (11129 Pelicano Drive) from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Grys Group, LLC. ZON04-00099  
**(District 7)** [Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 23C.** Discussion and action on a Resolution approving Detailed Site Development Plan No. ZON04-00107, for Tract 17 G, Block 36, Ysleta Grant, El Paso, El Paso County, Texas (8613 Alameda Street), pursuant to zoning conditions as imposed by Ordinance No. 010372. The Penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mario Betancourt. **(District 7)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 23D.** An Ordinance changing the Zoning of the East 105 feet of Lot 3 and Lot 4, Block 13, Womble Addition, El Paso, El Paso County, Texas (5640 East Paisano Drive) from C-1 (Commercial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZON04-00097. **(District 3)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 23E.** An Ordinance granting Special Permit No. ZON04-00108, to allow for a Planned Residential Development on Lots 79 and 80, Sunrise Acres No. 1, El Paso, El Paso County, Texas pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. Zone: R-5 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. **(District 2)**  
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 23F.** An Ordinance vacating a portion of Cedar Street right-of-way, El Paso, El Paso County, Texas and providing for exchange. **(District 8)**  
[Planning, Research & Development, Rudy Valdez, 541-4635]
- 23G.** An Ordinance vacating a portion of Sun Bowl Drive out of Hart Survey No. 2, City of El Paso, El Paso County, Texas. **(District 1)**  
[Planning, Research & Development, Rudy Valdez, 541-4635]

- 24.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 24A.** Nancy Hollebeke vs. City of El Paso, et al, Cause No. EP-04-CA-0185-HLH (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]

- 24B.** DISCUSSION AND ACTION on ASARCO Particulate Reduction Contract Enforcement (551.071) [City Attorney's Office, Michele Little Locke, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

**<http://www.elpasotexas.gov>**